

**ORDINANCE NO. 20070308-013**

**AN ORDINANCE AMENDING TITLE 4 OF THE CITY CODE TO ADD CHAPTER 4-11 RELATING TO REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; AND CREATING OFFENSES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Title 4 (*Business Regulation and Permit Requirements*) of the City Code is amended to add Chapter 4-11 to read:

**CHAPTER 4-11. REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES.**

**§ 4-11-1 DEFINITIONS.**

In this chapter:

- (1) **AMUSEMENT REDEMPTION MACHINE** means a recreational machine that provides the user with an opportunity to receive something of value other than a right of replay.
- (2) **GAME ROOM** means a building, facility, or other place that is open to the public and that contains one or more operational amusement redemption machines.
- (3) **GAME ROOM OWNER** means a person who has an ownership interest in a game room.
- (4) **OPERATIONAL MACHINE** means a machine that is ready to be played and accessible to the public.
- (5) **POLICE OFFICER** means an Austin Police Department police officer.

**§ 4-11-2 UNRESTRICTED ACCESS BY POLICE OFFICER.**

An owner, manager, or employee of a game room, or other person exercising control over a game room, a portion of a game room, or an operational amusement redemption machine, shall provide a police officer with immediate unrestricted access during business hours to all areas of the game room and to all operational amusement redemption machines located in the game room.

**§ 4-11-3 INSPECTION BY POLICE OFFICER.**

- (A) A police officer may inspect a game room or an operational amusement redemption machine located within the City of Austin, Texas' incorporated city limits to determine whether the game room or operational amusement redemption machine complies with this chapter and state law.
- (B) An owner, manager, or employee of a game room or other person who does not allow a police officer to inspect a game room or operational amusement redemption machine commits an offense.

**§ 4-11-4 GAME ROOM SIGN REQUIRED.**

A game room owner shall mark each entrance to a game room with a sign that:

- (1) bears the words "GAME ROOM" in one and one-half inch or larger block letters; and
- (2) is legible from a distance of 25 feet.

**§ 4-11-5 TRANSPARENT, UNCOVERED WINDOWS REQUIRED.**

- (A) A game room owner shall provide transparent glass in each game room window.
- (B) A person may not cover a game room window or otherwise block or obscure the view through a game room window.

**§ 4-11-6 OFFENSE; PENALTY.**

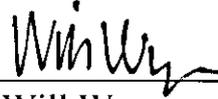
- (A) A person who fails to comply with the requirements of this chapter commits a Class C misdemeanor punishable by a fine not to exceed \$500.
- (B) Proof of a culpable mental state is not required for a conviction of an offense under this chapter.
- (C) Each day that a violation occurs is a separate offense.

**PART 2.** This ordinance takes effect on March 19, 2007.

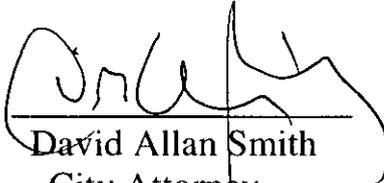
**PASSED AND APPROVED**

\_\_\_\_\_ March 8 \_\_\_\_\_, 2007

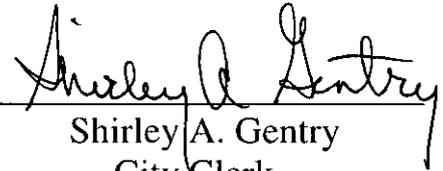
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Will Wynn  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

  
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Shirley A. Gentry  
City Clerk